

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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<b>Applicant:</b>	Gene A. Bornzin et al.	<b>Confirmation No.:</b>	9799
<b>Serial No.:</b>	10/810,437	<b>Examiner:</b>	Jessica L. Reidel
<b>Filed:</b>	03/26/2004	<b>Art Unit:</b>	3766
<b>Docket No.:</b>	A04P1029		
<b>For:</b>	SYSTEM AND METHOD FOR EVALUATING HEART FAILURE BASED ON VENTRICULAR END-DIASTOLIC VOLUME USING AN IMPLANTABLE MEDICAL DEVICE		

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**TRANSMITTAL LETTER, FEE AND CERTIFICATE OF TRANSMISSION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

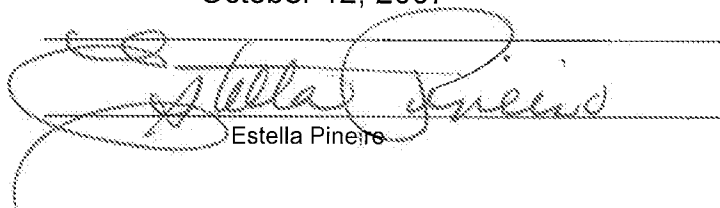
Dear Sir:

Submitted herewith for filing are the following documents:

X Amendment and Request for Reconsideration (with Exhibits A-C)  
X Substitute Declaration  
X Transmittal Letter, Fee and Cert. of Transmission

I hereby certify that this correspondence is being filed  
electronically on:

October 12, 2007

  
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Estella Pinero

**PATENT**

CALCULATION OF FEES						
ITEM		NO. OF CLAIMS REMAINING AFTER AMENDMENT	NO. OF CLAIMS PREVIOUSLY PAID FOR	ADD'L CLAIMS FILED	LARGE ENTITY FEE	\$ FEE
A	TOTAL CLAIMS FEE	31	35	0	X \$ 50	\$ 0
B	INDEPENDENT CLAIMS FEE**	4	3	1	X \$210	210
C	MULTIPLE- DEPENDENT				X \$ 360	0
D	EXTENSION OF TIME FEE — 1-mon: \$120; 2-mon: \$450; 3-mon: \$1,020; 4-mon: \$1,590; 5-mon: \$2,160					120
E	ADDITIONAL FEES (i.e., Surcharge – Late Fee- Declaration; Petitions; Information Disclosure Statement; Terminal Disclaimer, etc.) Specify: <b>Substitute Declaration</b>					130
F	<b>TOTAL ADDITIONAL FEE**</b> (ADD TOTALS FOR LINES A,B,C,D, and E)					\$460**

<input checked="" type="checkbox"/> Charge Deposit Account No. <b>16-0068</b> the amount of	<b>\$460**</b>	<b>A copy of this letter is enclosed.</b>
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- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0068
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0068
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

Date:

10/12/07

  
 Derrick W. Reed, Reg. No. 40,138  
 Attorney for Applicant  
 818-493-2200

**CUSTOMER NUMBER: 36802**